

POLICE INTERVENTION OF ROGER OWENSBY, JR.

CASE #00 PI 04

STATEMENT

OF

POLICE OFFICER, BRIAN BRAZILE

Code to persons speaking in statement:

Q: Specialist James Zieverink
Homicide Unit
Cincinnati Police Division
824 Broadway Street

QQ: Specialist Gregory Ventre
Homicide Unit
Cincinnati Police Division
824 Broadway Street

A: Police Officer, Brian Brazile, Badge #P-398
Cincinnati Police Division
District Four

(Note: Inaudible portions of statement indicated by dashes)

Q: This is Detective Jim Zieverink from Cincinnati Police Homicide. Also in the room with me is uh Detective Greg Ventre of Cincinnati Homicide, and uh Police Officer Brian Brazile, badge number P398. Uh this interview is being conducted at C.I.S. headquarters in the interview room. Time now is 11:25 in the morning on November the 13th. Uh this is in regards to incident or case number 00 PI 04, uh the death in custody of Roger Owensby, which occurred on November the 7th at approximately 1948 hours at 2098 Seymour Avenue uh Sam's Sunoco Station. Uh Officer Brazile was on scene after the incident that night. And uh Brian we're gonna go ahead and let you give your account of what happened, uh your involvement in

this once you uh received the uh, the assistance run up there. So go ahead and start with your end, your version of what happened.

A: Okay. Uh uh a officer assistance came out. Uhm I responded up to the scene. Uh once I got there on scene, assistance was uh cancelled as I was uh pulling up. So I uh, once I approached, parked, got out.

Q: Okay. Where did you park?

A: On the side of uh the Sunoco on the uh, I guess that would be the west side maybe. Parked. Got out. Saw the officers uh on the side. I believe there were two officers standing right there on the side of the Sunoco.

Q: Do you remember which officers?

A: I believe it was Hunter and uh Sellers I believe. Talked to them. Asked them were they okay, and found the other officers.

QQ: What did they say when you asked if they were okay?

A: "Yeah." They say, "we're okay."

Q: Okay.

A: "We're fine." "We're fine." Uh all the other officers uh Officer Jorg and uh Caton, I asked them uh the same question. Were they okay? They responded, "Yeah, we're fine." I said, "What happened to your arm?" "Is your arm okay?" He said, "Yeah that's not blood from me." He said, "That's from the uh, from the bad guy." So I said, "Okay." Uh and uh after that account, I uh was standing around and I walked over to the car uh.

Q: Which car are you ind---- uh?

A: Cincinn-. Uh. No, I, I'm sorry. I asked four of the guys where, where he was after I found out everybody was okay. Asked where the guy was?. Say, "He's in the car." And they kinda like say, "He's in the car." They didn't point or any thing. So I just looked in the cars

that were right in the immediate vicinity. I couldn't find him. Somebody shouted, and like I said before, I don't remember who it was. They say, "He's in the, in the Golf Manor car." It sounded like Blaine's voice. But I, I'm not a hundred percent sure. So I looked and uh there was two Golf Manor guys close to the vehicle. Uhm so I walked over there and I uh looked and seen there was someone in there. And uh at that point, I proceeded to uh take my light out, cause I couldn't see who he was. I just wanted to see his face, see if he was one of the guys that normally be hanging out up at Sam's,

Q: Uh-hum.

A: you know. So I uh shined my light in. I looked at him. Didn't recognize him. Seen some uh cuts and uh things like that on his face. And knowing he was laying uh. Noticed he was laying in an awkward position. And uh at that point, like I said, I made a comment to uh Golf Manor you know. And.

Q: What did you say?

A: I told 'em it looked fucked up, you know.

Q: Which, which Golf Manor guy did you say that too?

A: Heiland. Cause I know Heiland.

Q: You know Heiland.

A: Like I said, we went to the academy together.

Q: You said, "This looks fucked up."

A: That's exac-, exactly what I said. And uh he was just shaking his head. And I said, "You know this guy?" He said, "No." I was like oh, "Okay." I said uh, "Can he breathe?" I said, "It don't look like he can from the way he's laying." And then uh he was just, he just shook, he just shook his head. And uh then I said that because he was in his car.

Q: Uh-hum.

A: In Golf Manor's car. So that kinda you know. I just wanted to let them know. I, I don't know if they looked at him previously or what. But that was just a comment that I had made. And then at that point uh, I believe I had walked off. Uhm I went to get my hat out the vehicle. Put my hat on. Came back.

Q: Wait a minute. You say you walked off. You got your hat. Is that when you uh moved your car? You were driving a scout car. Right?

A: Yeah. I had the scout car.

Q: 'kay.

A: And uhm, uh the supervisors were showing up at that time.

Q: Which one did you see first?

A: I believe Sergeant Browner, cause she parked next to my scout car in the CDOP van.

Q: Okay.

A: And uh when she walked back over, uhm.

Q: Did you talk to her?

A: I said, "Hi ma'am." "How you doing?" And that was basically it, about it. And uh shortly after that, uh like I said, I don't remember everywhere I went and where I walked,

Q: Uh-hum.

A: you know. But uh when I look at the tape, it kinda refreshed me a little bit on you know, where I walked and things like that. Uhm. (Cell phone ringing) Hold on a second.

(Pause) Uhm got my hat. Came back. I heard some uh. I think they were asking what happened at that time.

Q: Who was asking?

A: Uh the bosses.

Q: But then who were they asking? Do you remember?

A: Uhm Sergeant uh Browner uhm was asking I think Blaine what happened.

Q: And where, where were they positioned when she asked this?

A: Over by the uhm, over by the car by Golf Manor's car. Some where over there.

Q: And were you over there?

A: Yes. I wasn't exactly where they were. Cause all the uh. I believe the officers that were, oh were over there all in the same area, but I was kinda like away from them. Cause I didn't have anything to do with that. So I didn't have no reason to be right in the you know, where she was asking her questions at. So I was kinda like a distance away, but I was still like right there in the, in the, in the area.

Q: Okay. Just for, for purposes of this, uh this tape uhm, you were allowed to review uh a vehicle uh tape from Officer Spellen's car. Correct?

A: Was that from.

Q: Yes.

A: Okay. Correct.

Q: Th-, the tape that we showed you. And you recall on that tape it shows Sergeant Browner walking over by the Golf Manor car and then it shows all the uh, the involved officers and then you and Officer Spellen also walk

A: Uh-hum. Correct

Q: just to the drivers side of Officer Spellen's car. Correct?

A: Correct.

Q: And that's where Sergeant Browner asked Officer Jorg his version of what happened?

A: I believe so. That's the spot right there I

Q: And you.

A: believe that where I heard that.

Q: you were standing within hearing distance of their conversation. Correct?

A: Right. I could hear, not everything. All I can hear was them talking and basically him going over some of the things that happened.

Q: So could you hear part of the conversation or what did, what did you hear?

A: Uhm I heard basically how uh they saw the uh subject uh inside the store and how uh they waited for him to come out. And they had some questions for him. He proceeded then to uh flee from them, after they uh told him to put his hands behind his back. And uh I believe Pat put out the assistance. And I think I remember that real good, because I remember hearing his voice. I always know when he's running. Cause I can, I can tell his voice.

Q: Pat. You're talking about

A: Caton.

Q: Pat.

A: I'm sorry. Yeah.

Q: That's okay.

A: Caton. And uh uh at that point, all the officers uh were getting there from what I heard. And they were just trying to get him into custody. And like I said before, I heard something about they had a cuff on him. And they were trying to get the other arm cuffed. And they had some trouble getting it cuffed. And like I said as, as, as well uhm Hodge, I think I heard him talking too.

Q: Hold on.

A: Somethin' about.

Q: Hold. Before. While Officer Jorg was giving this version, only Jorg is talking. Correct?

A: Uhm there's some other people talking. But not, not right where he was though. You know other officers ---.

Q: Okay. But Jorg is the only among

A: Addressing.

Q: these officers talking to Sergeant Browner and giving -----.

A: Right. Addressing Sergeant Browner.

Q: And you heard him say that he was, they was trying to cuff him and they were having trouble?

A: Right. Not in those words but basically.

Q: Right.

A: Right.

Q: And what else did he say?

A: Uhm trying to get him cuffed. And then uh there were, he took off from 'um. And they caught up with him. And that you know, he didn't get far when he tried to run. And uh they caught up with him. Attempted again uh to get him to comply, which he didn't. Uhm I guess other officers were showing up at this time. I think I remember him saying somethin' to that effect. And uh they were, that's when they were trying to get the cuffs on him. And they had one on. And they uh had trouble getting the other cuff on.

Q: Did he mention which,

A: And they went.

Q: which arm was cuffed?

A: I don't recall which arm it was. Oh yeah, and they went uh, he said they went, they went to the ground. He didn't say how. I think I remember him saying, they went to the

ground. Still trying to get the guy cuffed. And then after they got him cuffed, and I don't remember after that. They got him cuffed.

Q: You don't remember any more of this conversation about what happened?

A: They got him cuffed. Then they tried to get him.

Q: Okay. He said they got him cuffed.

A: Right. Said we got him. They had got him cuffed.

Q: Did he mention anything about macing or anybody hitting him, kicking him, striking him, getting him in a headlock, anything like that?

A: About the mace.

Q: What about the mace?

A: Uhm that somebody had maced him. I thought he said it was, it was, it was Hunter. I thought. I'm not sure on that. But he maced him and uh it wasn't working. It wasn't working when they maced him.

Q: Okay. Did he mention anything about any punches, any strikes, any use of the, the PR24?

A: Uhm I don't remember hearing Blaine say nothing about that. But I believe I heard uh Hodge.

Q: What.

A: I don't know his first name

Q: What did Hodge say?

A: Uhm something about, "he had to use the, the PR24 to get his arm back behind his back, cause he was still struggling and, and fighting."

Q: Did he say how he used the PR24?

A: No he didn't say exactly how. He just said he had to. I remember him saying something like a PR24 and him

Q: At that.

A: having, having to put it around his arm to help get his arm back behind his back.

Q: And, and did he? Did he say that to Sergeant Browner?

A: Yeah. I believe she was over. Right. I believe she was over there.

Q: Do you remember any of the other conversation between Officer Jorg and Sergeant Browner or anybody explaining their version of what happened?

A: Not right then. Uh-uhm. That was basically all I can recall just from the, what I heard from Jorg. Uh and then Hunter, like I told you before about the guy and how he knew him. Had prior contact. Uh I never heard any thing from uh, from Caton. Uhm.

QQ: Hodge is in old clothes. Right?

A: Yeah. I don't know whose PR he picked up. It was somebody's. I don't know whose is wa-. Whoever lost it.

QQ: He didn't say where it came from?

A: No. I don't know whose it was. Yeah, cause him and Abe Lawon wear old clothes. I guess in the struggle I guess, somebody's either fell or he grabbed somebody's. I don't know.

QQ: Most of these statements that you're saying right now are coming from Officer Jorg, cause he's addressing?

A: Well except for Hod-. Well Hodge said one thing.

QQ: Okay. Except for what Hodge said and what Hunter said to you?

A: Right.

QQ: These are all

A: Right.

QQ: all from Blaine Jorg? Was there any discussion as to any uh restraints put on Owensby?

A: No.

QQ: You didn't hear any?

A: Uh-uhm.

QQ: Do you know if there were any?

A: Naw. I don't know personally though if there were any. I was trying to listen uh to uh uh what's his name, George, uh the witness.

QQ: The witness.

A: Yeah.

QQ: George Weaver.

A: Weaver. Right.

QQ: Okay. George Weaver.

A: See he.

QQ: Who, who was he?

A: He states that he was there inside the store when this, when all this went down.

Q: And what was your contact with George Weaver and when?

A: Uhm that night or after uh all this uh with the supervisors and everybody like that had got on scene and wanted to know who the witnesses were, and where are they? And once uh Sergeant uh Sergeant Shearer was also there, she uh her and Sergeant Browner were saying, you know, "You take this witness." "Put him in your car." "You take such and such," and I got stuck with Weaver.

Q: You were told by who?

A: Uhm I believe it was Sergeant Browner.

Q: And what did she tell you to do with the witness?

A: Take him and put him in my car, cause we had to all have 'em all separated.

Q: How long were, was he in your car before you brought him down here?

A: About an hour and some minutes. Yeah. Cause at first they were all in the same car. It was the two girls and then there was Weaver all in one car. And they say, "no, no, no, no, no." "Separate them." So uh Abe that was sitting in the car with one. Uh I believe Hasse had another one in his car, and then I had Weaver in my car.

QQ: Okay. Did you question Mr. Weaver as to what happened?

A: No. I asked him. I did ask him what happen. Yeah. I say, "What happen?" You know. Cause he was telling me bits and pieces, and I just got tired of hearing the bits an pieces. I said, "Well since you goin' talk, tell me what happen from the be-, from the beginning." I said, "What'd you see?"

QQ: Did you write these notes? Did you take notes?

A: Naw. I didn't take no notes. I said cause uh. I said it's goin' be some people that's coming that's gonna question you. I said so you need to tell 'em everything that you know, that you saw. I said and basically tell me. I said cause I, I just got here shortly ago and I don't even know what's going on.

QQ: What'd Weaver tell you?

A: What I told you guys uh previously about uh, he was inside the store. Uhm saw the uh officers. Heard a radio. And he say he knew something at that time was gonna go down, because they didn't come in the store. That they were standing like outside on the side. Uhm and he said he saw that they were having conversation uh with the guy.

QQ: Did he know the guy?

A: Yeah. He said he knows him. Uhm they were having conversation. Uh they were trying to tell him to put his hands behind his back. And that the guy took off. This is all from Weaver. And that uh he did run. And then they caught up with him. And uh he, this is wha-. This is exactly what he said. "They didn't have to do what they done." "They didn't have to beat him like that." "It was too many of you all out, too many of you all." And uhm, "It didn't take all of that." And you know, just on and on about on that same topic. And I said well okay, okay. I understand that. I said but what else happened after that point? He says, "uh, uhm, "Well they finally all grabbed him, and it was just mass cops." "It was mass cops." "You know, even Huntington Meadows you know." "Why, why did they have to uh get involved." "They ain't police." "They ain't cops you know." "They was beating on him and you know, doing this and doing that." "They shouldn't of even been over here." And so I said, okay, okay. That's fine I said, but keep going you know, what-, what else? What else did you see? And he said, "well uh they slammed him down to the ground." "They didn't have to do that either." Uhm I said was the guy fighting? He said, "yeah." He say, "he was, he was uh, he was fighting with 'em." He said, "but it was just too many you know, too many cops." He said he was. He said, "he wasn't really fighting, he was just like, didn't want 'em, didn't want to let 'em get cuffed." He didn't want to get cuffed. So I said, okay what happen after that? He said, "After they slammed him down to the ground, they finally got him cuffed, and they started telling him to get up after they got him cuffed." "And, and walk to the car." "Get up on your own!" "Get up!" "Walk!" "Walk to the car!" And uh he said. "I guess the guy was taking too long or didn't want to do it, and then they picked him up and they uh took him to the car." "And they, and they threw him in the car and slammed the door." Then they ----.

QQ: He said officers picked up Owensby?

A: Uh-hum.

QQ: Did he say if Owensby was walking?

A: No. He said he wasn't. He said that's why they picked him up. So I guess. I, I guess I should of clarified that part with him when I said uh, did they pick him up or did they help him up. But he said they picked him up. So I'm guessing all the way off the floor. I mean off the ground. And he said they, they took him over to the car and uh put him in the car, threw him in the car. And then they sa-, he said he slammed the door. And I said.

Q: At any time during your conversation with him did he, did he mention anything about any specific punches, kicks or blows or uh chokes, headlocks,

A: Yeah.

Q: or anything?

A: Well he said they was punching him. He said, "Man they were punching him man." "They was, they was doing this and uh."

Q: Doing this meaning what?

A: That's what he said. He said, he said, "They was punching him and, and, and doing this and doing that." "And you know, it, they just didn't have to do all that." I said, "What do you mean?" He said, "Well it's just too many of 'em." He said, "They was just, just on him you know." He said, "Shit, I probably would uh you know, been the same way." He said, "Cause it was just too many of 'em you know, on me." And he said that they was uh, they was just doing all kinds of stuff. I 'm mean like what? He said they was punching him and just hitting him. And uh they billy clubbed him and uhm. What else did he say? Punching him, hitting. They beat him with the billy club. Uh yeah. That was, that was basically it.

Q: That was basically it.

A: Yeah. Then.

Q: And did he mention anything else?

A: No. Then he said they uh. Like I said the hand part of that was when they say he cuffed him. Put him in the car. And uh they slammed the door. And that was that. (Belch), excuse me.

Q: Okay. Is there anything else that we. Is there anything we've haven't asked you or that you feel is important that we haven't asked or mentioned?

A: Uhm. I'm trying to give you guys everything I remember uh about who I talked to, what I heard. Uhm and like I said, the reason this coming up now, I didn't. You guys didn't ask the last time that I. I guess you didn't know that I brought George down and the things that he said.

Q: Okay.

A: So that's why I ---- about it before.

Q: Is there anything else that we haven't asked you or haven't covered that you feel is important?

A: I basically told you everything I remember from what I know.

Q: Anything else Officer Ventre?

QQ: No. If you remember anything else, you'll get back with us?

A: Oh definitely. Definitely.

QQ: And this is an ongoing investigation. We're actually requesting that you not discuss this with anyone.

A: Okay. I'll ---.

Q: That'll conclude this interview. The time is now 11:47.

Transcribed by: Joyce Freeman
C.I.S., Cincinnati Police Division
November 21, 2000

Doc. 312-2000POBrazile-Zieverink-Ventre